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Attorneys for Defendant 3M Company

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

ESTATE OF KARL J. BEEMAN, SR. by and
through Special Administrator and heir Benita
Beeman; BENITA BEEMAN (an individual);
KARL J. BEEMAN, JR (an individual),

Plaintiffs,

v.

3M COMPANY (formerly known as Minnesota
Mining and Manufacturing Company); AGC
CHEMICALS AMERICAS INC; AMEREX
CORPORATION; ARCHROMA U.S. INC.;
ARKEMA, INC.; BUCKEYE FIRE
EQUIPMENT COMPANY; CARRIER
GLOBAL CORPORATION; CHEMDESIGN
PRODUCTS, INC.; CHEMGUARD, INC.;
CHEMICALS, INC.; CHEMOURS
COMPANY FC, LLC; CLARIANT CORP.;
CORTEVA INC.; DEEPWATER
CHEMICALS, INC.; DU PONT DE
NEMOURS, INC.; DYNAX CORPORATION;
E.I. DU PONT DE NEMOURS AND
COMPANY; KIDDE-FENWAL, INC.; KIDDE
PLC; NATION FORD CHEMICAL
COMPANY; NATIONAL FOAM, INC.; THE
CHEMOURS COMPANY; TYCO FIRE
PRODUCTS LP; UNITED TECHNOLOGIES
CORPORATION; UTC FIRE & SECURITY
AMERICAS CORPORATION; MARKEN
ENTERPRISES (also known as MarKen PPE
Restoration); STEAMATIC OF SOUTHERN

CASE NO. 2:23-cv-01596-CDS-EJY

**JOINT STIPULATION AND ORDER
FOR EXTENSION OF TIME TO
RESPOND TO COMPLAINT**

(First Request)

NEVADA (a Nevada corporation);
 LOGISTICAL SOLUTIONS, LLC; DOES 1
 through 100, inclusive; ROE
 CORPORATIONS 1 through 100, inclusive;

Defendants.

Pursuant to LR 6-1 and 6-2, Defendant 3M Company (hereinafter, “3M”), and Plaintiffs Estate of Karl J. Beeman, Sr., Benita Beeman and Karl J. Beeman, Jr., (“Plaintiffs” and with 3M collectively the “Parties”) by and through their respective counsel, hereby respectfully requests the below extension of time to respond to the Complaint.

1. This action was initially filed on May 22, 2023 in the District Court of Clark County, Nevada, bearing Case No. A-23-871098-C, but before serving 3M, Plaintiffs filed the operative First Amended Complaint on September 7, 2023. 3M was served on September 14, 2023, and removed this action to this Court on October 5, 2023.

2. The Complaint seeks to hold Defendants liable for their alleged conduct in designing, manufacturing, formulating, marketing, distributing, and/or selling products, including aqueous film-forming foam (“AFFF”), allegedly containing per- and polyfluoroalkyl substances (“PFAS”), including perfluorooctanoic acid (“PFOA”) and perfluorooctane sulfonic acid (“PFOS”). Compl. ¶¶ 1,3. The Complaint alleges that the use of and exposure to Defendants’ PFAS-containing AFFF caused injury to Plaintiff Karl Beeman, Sr. *Id.* at ¶¶ 9-10.

3. The United States Judicial Panel on Multidistrict Litigation (“JPML”) has consolidated cases related to PFAS-containing AFFF in *In re: Aqueous Film-Forming Foams (AFFF) Products Liability Litigation*, MDL No. 2873 (the “AFFF MDL”), in the District of South Carolina, in the interest of judicial economy and efficiency.

4. On October 6, 2023, 3M filed a notice of potential tag-along in the JPML, identifying this case as a potential tag-along action to the AFFF MDL. The tag-along notice is currently pending in the JPML.

5. To date, the JPML has never declined to order transfer to the AFFF MDL of a case in which, as here, the operative complaint on its face alleges AFFF claims.

6. Pursuant to Federal Rule of Civil Procedure 81(c)(2)(C), 3M's responsive pleading is due October 12, 2023.

7. Good cause exists for an extension of responsive pleading deadlines for all Defendants through and including the 28th day after the JPML has issued a final order determining whether to transfer this action to the AFFF MDL. An extension would conserve judicial resources, as well as the resources of the Parties, and would not result in prejudice to any party if granted.

8. Plaintiffs expressly reserve, and do not waive, any rights they may have to seek remand of this matter back to state court.

9. Counsel for 3M met and conferred in good faith with counsel for Plaintiffs, who agrees to the requested extension for the simple purpose of providing more time to respond to the complaint. Plaintiffs do not admit, consent or agree as to what may or may not happen as to the MDL

WHEREFORE, the Parties respectfully request the Court enter an order granting an extension of responsive pleading deadlines for all Defendants, as set forth above, through and including the 28th day after the JPML has issued a final order determining whether to transfer this action to the AFFF MDL.

IT IS SO STIPULATED

Dated: October 12, 2023.

**EVANS FEARS SCHUTTER MCNULTY
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1 *Estate of Karl J. Beeman, Sr. by and through Special Administrator and heir Benita Beeman,*
2 *et al. v 3M Company, et al.*
3 *Case No. 2:23-cv-01596-CDS-EJY*
4 *Joint Stipulation and Order for Extension of Time to Respond to Complaint (First Request)*

5 **IT IS SO ORDERED.**

ORDER

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7 
8 UNITED STATES MAGISTRATE JUDGE

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10 DATED: October 13, 2023

11 CASE NO.: 2:23-cv-01596-CDS-EJY
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